

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION FOR ARBITRATION OF AN)	
INTERCONNECTION AGREEMENT)	
NEGOTIATED BY BELLSOUTH)	
TELECOMMUNICATIONS, INC. AND US)	CASE NO. 2000-045
LEC OF NORTH CAROLINA, INC.)	
PURSUANT TO SECTIONS 251 AND)	
252 OF THE TELECOMMUNICATIONS)	
ACT OF 1996)	

O R D E R

On January 25, 2000, BellSouth Telecommunications, Inc. ("BellSouth") petitioned for arbitration with US LEC of North Carolina, Inc. ("US LEC"). On February 14, 2000, BellSouth advised the Commission that US LEC was going to adopt BellSouth's agreement with MCImetro Access Transmission Services, Inc. ("MCImetro") rather than pursue arbitration. On March 6, 2000, BellSouth and US LEC submitted to the Commission their negotiated agreement for interconnection of their networks, the unbundling of specific network elements, and the resale of BellSouth's services. US LEC is adopting in its entirety the interconnection agreement between BellSouth and MCImetro dated August 21, 1997. The interconnection agreement was negotiated pursuant to the Telecommunications Act of 1996 ("1996 Act"), 47 U.S.C. Sections 251 and 252. Section 252(e) of the 1996 Act requires the parties to an interconnection agreement adopted by negotiation to submit the agreement for approval to the Commission.

The Commission has reviewed the agreement and finds that no portion thereof discriminates against a telecommunications carrier not a party to the agreement. The Commission also finds that the implementation of the agreement is consistent with the public interest, convenience, and necessity.

US LEC must comply with all relevant Commission mandates for serving in this Commonwealth.

The Commission, having been otherwise sufficiently advised, HEREBY ORDERS that:

1. The negotiated agreements and amendment between BellSouth and US LEC are approved.
2. US LEC shall file a tariff for local service prior to providing local service giving 30 days' notice to the Commission and shall comply with all Commission regulations and orders as directed.
3. Within 10 days of the date of this Order, BellSouth shall file with the Commission a true and complete copy of the agreements and amendment approved herein in Microsoft® Word 97 format on 3.5-inch high-density diskette.

Done at Frankfort, Kentucky, this 18th day of May, 2000.

By the Commission

ATTEST:

Wm H. Bowen
Deputy Executive Director